

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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*In re*

APPLICATION of: Moses O. Jejelow et al

§ Before the Examiner

§ R. Rabago

SERIAL NO.: 08/986,696

§ Group Art Unit: 1713

FILED: December 8, 1997

§ Attorney Docket No. 1997U001.US

FOR: Polymerization Catalyst Systems  
And Their Use

§ Houston, Texas

Assistant Commissioner for Patents  
Washington, DC 20231

November 20, 2000

Sir:

**RESPONSE UNDER 35 CFR 1.111**

This is in response to the United States Patent and Trademark Office action mailed October 24, 2000.

**REMARKS**

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 10 to 14, 16 to 23, 25 to 32 and 51 to 57 are before the Examiner. Having filed the Appeal, the claims as amended in the response filed May 26, 2000 are the claims that are before the Examiner.

Claims 10 to 12, 14, 16, 19, 28 to 30, 51, 52, 55 and 56 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Harrington for reason recited in the Final Office action mailed March 20, 2000. This rejection is respectfully traversed for the reason recited in the Appeal Brief filed August 9, 2000, all of which is incorporated herein by reference.

It is respectfully submitted that the Examiner's statement that Harrington's goal is to make high crystalline melting point cyclic olefin copolymer begs the question of making olefin polymers in the presence of a hafnium metallocene catalyst that manifests high activity.

It is generally well accepted in the art that hafnium based metallocene catalyst produce polymer having a high molecular weight but with a poor catalytic activity. It is respectfully submitted that the discovery of a hafnium metallocene catalyst that will polymerize olefins with a higher activity than previously observed constitutes an unexpected and unobvious invention as understood in the sense of 35 U.S.C. § 103.